

ANTONIO LOPEZ, individually;
JOHANNA LOPEZ, individually;
M.R., by and through his guardian ad
litem, April Rodriguez, individually
and as successor in interest to
Brandon Lopez; B.L. and J.L., by and
through their guardian ad litem
Rachel Perez, individually and as
successors in interest to Brandon
Lopez; S.L., by and through his
guardian ad litem, Rocio Flores,
individually and as successor in
interest to Brandon Lopez,

Plaintiff,

VS.

CITY OF ANAHEIM, a municipal corporation; CITY OF SANTA ANA, a municipal corporation; DAVID VALENTIN, individually and in his official capacity as the Chief of Police for the CITY OF SANTA ANA Police Department; JORGE CISNEROS, individually and in his official capacity as the Chief of Police for the CITY OF ANAHEIM Police Department; PAUL DELGADO, individually and in his official capacity as an officer for the CITY OF ANAHEIM Police Department; BRETT HEITMAN; KENNETH WEBER, individually and in his official capacity as an officer for the CITY OF ANAHEIM

Case No.: 8:22-cv-01351-JVS-ADS

*(Honorable James V. Selna; Magistrate
Judge Autumn D. Spaeth)*

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION TO STRIKE
PREVIOUSLY UNDISCLOSED
EXHIBITS SUBMITTED IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 37; REQUEST FOR
NON-MONETARY SANCTIONS
AGAINST ALL DEFENDANTS**

Hearing Date: August 26, 2024

Hearing Time: 1:30 p.m.

Courtroom: 10C

MSJ Hearing: August 12, 2024
FPTC: September 9, 2024
Trial: September 17, 2024

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION TO STRIKE PREVIOUSLY
UNDISCLOSED EXHIBITS SUBMITTED IN SUPPORT OF DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 37; REQUEST
FOR NON-MONETARY SANCTIONS AGAINST ALL DEFENDANTS**

1 Police Department; BRETT
2 HEITMAN; CAITLIN PANOV,
3 individually and in her official
4 capacity as an officer for the CITY
5 OF ANAHEIM Police Department;
6 BRETT HEITMAN, individually and
7 in his official capacity as an officer
8 for the CITY OF ANAHEIM Police
9 Department; BRETT HEITMAN;
10 DOES 1-10, individually and in their
11 official capacity as law enforcement
12 officers for the CITY OF ANAHEIM
13 Police Department and CITY OF
14 SANTA ANA Police Department,

15 Defendants.

16 **[PROPOSED] ORDER**

17 On July 26, 2024, the Plaintiffs timely filed their Motion to Strike Previously
18 Undisclosed Exhibits Submitted in Support of Defendants' Motion for Summary
19 Judgement Pursuant to Federal Rule of Civil Procedure 37; Request for Non-
20 Monetary Sanctions Against All Defendants.

21 Finding good cause therefore, the Court ORDERS as follows:

- 22 1. Exhibits 1 through 10, 13 through 15, and 19 through 29 in Support of
23 Defendants' Motion for Summary Judgement are hereby STRICKEN and will
24 not be considered in support of Defendants' Motion for Summary Judgement
25 [Dkt. 129 et seq];
- 26 2. Defendants' statement of facts and statement of undisputed facts nos. 13
27 through 17, 19 through 24, 28, 30, and 34 are hereby STRICKEN and will not
be considered in support of Defendants' Motion for Summary Judgement
[Dkt. 129 et seq];
- 28 3. All portions of Defendants' Motion for Summary Judgment that rely on these
29 facts are hereby STRICKEN and will not be considered in support of
30 Defendants' Motion for Summary Judgement [Dkt. 129 et seq];

1 **IT IS SO ORDERED.**
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7 Dated: _____ By: _____
8 Hon. James V. Selna
9 United States District Judge
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